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10 Attorneys for Defendant THE BOARD OF TRUSTEES
11 OF THE UNIVERSITY OF ILLINOIS, erroneously sued as
12 THE UNIVERSITY OF ILLINOIS-URBANA CHAMPAIGN

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

15 ST. LUKE SCHOOL OF MEDICINE;
16 DR. JERROLL B.R. DOLPHIN and
17 DR. ROBERT FARMER on behalf of
18 himself and all others similarly situated, as
19 applicable,

20 Plaintiffs,

21 v.

22 REPUBLIC OF LIBERIA; MINISTRY OF
23 HEALTH, a Liberian Governmental
24 Agency; MINISTRY OF EDUCATION, a
25 Liberian Governmental Agency; LIBERIAN
26 MEDICAL BOARD, a Liberian
27 Governmental Agency; NATIONAL
28 COMMISSION ON HIGHER
EDUCATION, a Liberian Governmental
Agency; NATIONAL TRANSITIONAL
LEGISLATIVE ASSEMBLY, a Liberian
Governmental Agency; DR. ISAAC
ROLAND; MOHAMMED SHERIFF; DR.
BENSON BARH; DR. GEORGE GOLLIN;
EDUCATION COMMISSION FOR
FOREIGN MEDICAL GRADUATES; a
Pennsylvania Non-Profit organization;
FOUNDATION FOR ADVANCEMENT
OF INTERNATIONAL EDUCATION
AND RESEARCH; a Pennsylvania Non-
Profit organization, UNIVERSITY OF
ILLINOIS-URBANA CHAMPAIGN, an
Illinois Institution of Higher Learning;
STATE OF OREGON, Office of Degree
Authorization,

Defendants.

Case No.: 10-CV-01791 RGK (SHx)

[Honorable R. Gary Klausner]

**[PROPOSED] ORDER RE
UNIVERISTY OF ILLINOIS
MOTION TO DISMISS FIRST
AMENDED COMPLAINT**

**[FILED CONCURRENTLY WITH
NOTICE OF MOTION;
MEMORANDUM OF POITNS AND
AUTHORITIES; AND
DECLARATION OF MICHAEL D.
YOUNG]**

[FRCP 8, 12(b)(1), 12(e), 12(f) & 41(b)]

DATE: July 6, 2010

TIME: 9:00 a.m.

COURTROOM: 850

1 On July 6, 2010, the motion of defendant the Board of Trustees of the
2 University of Illinois came on regularly for hearing before this Court. After
3 considering the papers submitted in support of and opposition to defendant's motion
4 and the evidence contained therein, and having heard the argument of counsel thereon,
5 and for good cause shown,

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

7 1. This Court lacks subject matter jurisdiction over the First
8 Amended Complaint as it pertains to the University of Illinois because the University
9 is a state instrumentality entitled to immunity from suit in federal court under the
10 Eleventh Amendment; and

11 2. The Motion to Dismiss is hereby granted.

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13 IT IS SO ORDERED.

14 DATED: _____

15 _____
16 The Honorable R. Gary Klausner
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1 Respectfully Submitted,

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3 DATED: June 1, 2010

MICHAEL D. YOUNG
NICOLE C. RIVAS
ALSTON & BIRD LLP

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8 Michael D. Young
9 Attorneys for Defendant THE BOARD OF
10 TRUSTEES OF THE UNIVERSITY OF
11 ILLINOIS
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